

**LEE LITIGATION GROUP, PLLC**

143 W. 24<sup>TH</sup> STREET, EIGHTH FLOOR

NEW YORK, NY 10011

TEL: 212-465-1180

FAX: 212-465-1181

INFO@LEELITIGATION.COM

**MEMO ENDORSED**

WRITER'S DIRECT: 212-465-1188  
cklee@leelitigation.com

May 24, 2023

**Via ECF**

The Honorable Andrew L. Carter, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 435  
New York, New York 10007

Re: *Ortiz et al v. Eskina 214 Corp. et al.*  
Case No. 1:21-cv-01537 (ALC) (KHP)

Dear Judge Carter:

We are counsel to Plaintiffs in the above referenced matter. We write to request a three-week extension on the briefing schedule for Plaintiffs' Motion for Summary Judgment, which was set by the Court yesterday, May 23, 2023, and which set Plaintiffs' date to file their Motion for Summary Judgement for today, May 24, 2023, [Dkt. 134].

On May 1, 2023, pursuant to the Court's Individual Rules §2(A), requiring pre-motion conferences before making of summary judgment motions, Plaintiffs moved the Court for a pre-motion conference regarding their anticipated Motion for Summary Judgement. Yesterday, the Court denied Plaintiffs' request for a pre-motion conference and gave Plaintiffs leave to directly file their Motion for Summary Judgment. However, the Court set the date for Plaintiffs to file their motion for today, May 24, 2023.

Prior to yesterday's Order setting Plaintiffs' time to move for summary judgement for today, May 24, 2023, no schedule as to the briefing of this motion had been set. Plaintiffs request for a three-week extension will permit Plaintiff the time needed for a fulsome briefing of the issues and help ensure all arguments are properly presented to the Court.

This is Plaintiffs' first request for an extension of time to move for summary judgment. Additionally, Plaintiffs intend to let Defendants know of their extension request. However, to date Defendants have not been responsive in this case. Therefore, while Plaintiffs will do their best to inform Defendants, given the time sensitivity of the matter, we request that the extension be granted.

Plaintiffs request a three-week extension to file their Summary Judgment Motion will result in the following briefing schedule:

- 1) Summary Judgment Motion Due: June 14, 2023
- 2) Responses Due: June 28, 2023
- 3) Reply Due: July 12, 2023

We thank the Court for its time and consideration.

Respectfully submitted,

/s/ C.K. Lee  
C.K. Lee, Esq.

SO ORDERED:  
*Andrew L. Carter*  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

Dated: May 24, 2023  
New York, NY